

The full and exact Relation of the Apprehension, Arraignment, Tryal Condemnation and Execution of those three Grand Regicides, *Iohn Barkstead, Iohn Okey, and Miles Corbet.*

AT
His MAJESTIES

Court of
KINGS BENCH

at Westminster, Apr.

16th, 1662.

where fate,

The Right Honourable
the Lord Chief Justice
Foster.

The Honourable
Justice Malles.
Justice Tinsden.
Justice Windham.

Being the Judges for the
Tryal of the three Grand
Regicides, on the 16th of April
1662.



The Names of the
Iury Empannelled for
the Tryal of those three
Grand
TRAYTORS.

Iohn Eatherbey, Esquire,
Foreman.
Ralph Haffal Esquire.
Iohn Sydley.
Thomas Stevens.
Tho. Hyman.
Gilbert Meaz.
Miles Michel.
Edward Bennet.
George Plucknet.
William Tolman.
William Brewer.
Francis Neal.

These unfortunate & wretched men, (not so much for their punishment, as their Crime, which suffered them not to be in security in any place whither their greatest care of themselves then directed for their preservation) are now resigned to the certainty of that fate which hath put an end to their troublesome days and given the Law satisfaction in their deaths.

The notoriety of these persons requires therefore a more general satisfaction in their bringing to Tryal and their Arraignment, than what hath yet been published. The whole Narrative together, which is made up from many private and sure hands, is here made known to the World.

The manner of their apprehension in Holland, was by an Order of the States of Holland, procured by Sir George Downing the Kings Resident at the Hague, who from a long and constant information of their Residences had at last fixed them in Delft; In prosecution of this Order, the Marshal of Delft being aided by Sir George Downing, took those three Regicides together in Barksteads quarters, where they were drinking together, and carried them to the common Prison till further order of the States. This was done on the fifth of March 1662.

The States upon Examination understanding the nature of their Crime, sent to enquire, whether they were the persons or no of whom they had received such information: They thinking the concealing of their names was the advantage desired by the States, who would not contrary to their Lawes deliver them *incognito*, denied themselves after seizure, hoping to be judged there, and so dismissed.

But the States to do reason to the King, took the same advantage (such the confusion of these Fugitives wisest determinations) to make void those liberties and franchises, which they might have pretended to, by their disowning themselves, and acknowledging that they were the persons. And upon this account they were sent hither, where it was not to be doubted they would need any great Evidence.

They were sent therefore, being committed to the disposal of Sir George Downing, on board the *Blackmore* Frigate, under the care of Mr. Armer one of the Quarries of the King, who brought them to Gravesend where he acquainted his Majesty of their Arrival, by whose Order on Sunday night the 16th of March they were brought to the Tower; where they were received civilly by the Honorable Sir John Robinson the Lieutenant of the Tower.

The same night they were conducted to their several Chambers by their Warders, and so kept separate and asunder from one another in close imprisonment till the time of their Arraignment, which out of clemency was deferred till the beginning of the Term, having been examined in the mean time to divers questions concerning their fellows abroad.

On Monday last the 14th. of April 1662. a *Habeas Corpus* was brought to Sir John Robinson who was committed to bring those 3 Persons on Wednesday the first day of the Term, to the Kings Bench Bar which was accordingly performed, in this manner. They were conveyed under the charge of the Gentleman J. for by a guard of the Tower Halibutiers, and two file of Musketeers, in Barges and Boats to Kings bridge at Westminster, and to into the Hall. (It is observable that some of the Musketeers, had been soldiers

under the two Colonels formerly, who now did them this service at last.

Being brought to the Bar, and the Court sitting, Sir Geoffrey Palmer, the Kings Attorney, acquainted the Lord Chief Justice that these Prisoners were brought thither by his Majesties Order, to shew Cause and to offer what they could say for themselves by way of defence, or otherwise why execution should not be awarded against them, according to an Act of Attender, made in the twelfth year of his Majesties Reign, and confirmed by the present Parliament, wherein and whereby, these three Persons stood arraigned of Treason, for the execrable murder of his late Martyred Majesty. Thereupon the Lord Chief Justice (after they had, as the Secondary of the Court required them, held up their hands) demanded of them severally what they had to say for themselves, why Judgment and Execution should not pass upon them.

To this Coll. Barkstead replied first, setting forth his condition, that he had been two years out of England, and since his return, was kept close Prisoner, and was not acquainted of his being brought to that Bar till nine a clock the night before; that it was well known he had no skill in the Law, and therefore desired that Council might be assigned him to assist him in his Tryall; and this was the like answer and request to the Court of Coll. Okey.

Upon this they were told, that no Council was to be allowed them unless they had matter of Law to offer for themselves. After a little pause, said Corbet: It doth not appear that I am the man mentioned in the Act, which words caused the Court to tell them, that they had but two things to plead, either the Kings Pardon, or else to insist upon what Corbet said, that they were not the Persons mentioned in the Act; they were unwilling to put the business to so sudden an issue, but after some Evasions, pleaded as before, that they were not the Persons mentioned in the Act.

Having made this plea, the Lord Chief Justice asked the Kings Attorney, if he was prepared to joine issue with them, on this plea, to which he said he was. Whereupon the Court ordered the Sheriff of Middlesex, presently to summon a Jury, and make return thereof immediately; within an hour the Jury was ready, during which time the Court proceeded to hear motions, and the business of the Terme, the prisoners standing still at the Bar. The Juries Names are as followeth. Iohn Eatherbey foreman, Ralph Haffal Esquire, Iohn Sydley, Thomas Stevens, Thomas Hyman, Gilbert Meaz, Miles Michel, Edward Bennet, George Plucknet, William Tolman William Brewer, and Francis Neal.

The Jury being sworn, the Attorney general produced his Witnesses. The charge of the Lord Chief Justice to the Jury was, that they were to try and true deliverance make between the King and Prisoners at the Bar upon this issue, whether the said Prisoners were the persons mentioned in the Act of Attender. The Witnesses were then sworn, (against whom or any of the Jury the Prisoners made no Exceptions, and deposed one after another. The first witness said that the 14th day the King was brought to that Court, called the High Court of Justice, he was present, and having a prime list of the Names of several Members thereof, as they too up, & answered to their Names putting of their hands therewith, did make every individual Person with his pen, amongst which were the three Prisoners at the Bar, and that thereby he could well distinguish them: that he knew Coll. Barkstead, by the

name of Baxter a Goldsmith in the Strand formerly; and to Okey, he pointed to the place where he said he very well remembered he sat in that Court. The Second Witness deposed the same Evidence, and produced a Printed List, which he marked the same time in the Court. Here Mr. Corbet put in a question, and asked one of the Witnesses whether he saw him there or no, he answered yes, for that he knew him very well, by reason that once in the late times, having occasion to use him in a Committee, he did him right in the business and therefore particularly knew him. It was wondered of all men why he should put this question, being one of so remarkable a Countenance, and so public a Person. The last Witness upon the producing of two Instruments the one of sentencing, the other of executing the King: to which, being demanded if he knew the names of these Persons, to be their own hands writing, he affirmed that he had often seen their hand writing, and did believe that those were theirs.

After this Evidence the Jury consulted together presently without departing from the Bar, cried a verdict, the Secondary after the usual form or calling them over again, asked them severally, is Iohn Barkstead the same person, (and so of the rest) mentioned in the Act, who said by their Foreman they were the same Persons and so gave their Verdict.

Thereupon the Lord Chief Justice asked them, whether they had any thing more or else to say why Execution should not be awarded against them, Barkstead & Okey replied little. But Corbet said something in point of Law, and that there ought to have been an Indictment, but he was over ruled by the Court. One of the Justices telling him that the Court proceeded upon higher ground, an Act of Parliament that had declared them arraigned, and Precedents were also brought to prove no Indictments in such Cases.

Then all three confessed themselves to be the same Persons, so that it seems they put the Court to the trouble of proof only to prolong or defer their Sentence: after this silence being commanded in the Court while Sentence was awaiting. The Lord Chief Justice in few words told them, that the Act had set forth the Crimes sufficiently, which they had heard read to them, that this Court was to consider of their Execution, that standing arraigned as before said, there remained their Sentence which was that they were to be carried back, from thence to the Tower of London, and thence drawn upon three several Hurdles to Tyburn, and there hanged by the Neck till they were halfe dead, and to be cut down, their Bowels taken out before their faces, their Heads cut off, their Bodies quartered, and both Heads and Bodies to be disposed at his Majesties pleasure.

At the pronouncing of the Sentence they were observed not to alter in the least. Barkstead rather fleeing then dejected in countenance the other two behaved themselves civilly and Respectfully to the Court, with that due Reverence as the place required. At their going away, having made their obeysance to the Court, Coll. Barkstead took the Attorney General and Sir Henrage Finch by the hand, and seemed to depart very merrily, they were received by the same Guard, and recarried back to the Tower in the same manner as they came, there to expect and wait their Execution, the unsaved end of such monstrously guilty Offenders.

Some say the 19th. of April 1662. These three Grand Regicides above mentioned, were drawn on three several Sledges from the Tower through the City of London to Tyburn, and were guarded by the Sheriffs of London with their Officers, and also a Party of Horse. Barkstead being in the first, Okey in the second, and Corbet in the last, where at Tyburn was prepared a Cart to receive them out of their Sledges whereon they all three stood together with their Halberts about their necks and failed to the Gallows, where after their several Speeches they were executed according to their Sentence.

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The notoriety of these persons requires therefore a more general satisfaction in their bringing to Tryal and their Arraignment, than what hath yet been published. The whole Narrative together, which is made up from many private and sure hands, is here made known to the World.

The manner of their apprehension in *Holland*, was by an Order of the States of *Holland*, procured by Sir *George Downing* the Kings Resident at the *Hague*, who from a long and constant information of their Residences had at last fixed them in *Delft*; In prosecution of this Order, the Marshal of *Delft* being aided by Sir *George Downing*, took those three Regicides together in *Barksteads* quarters, where they were drinking together, and carried them to the common Prison till further order of the States. This was done on the fifth of March 1661.

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Being brought to the Bar, and the Court sitting, Sir *Geffrey Palmer*, the Kings Attorney, acquainted the Lord chief Justice that these Prisoners were brought thither by his Majesties Order, to shew Cause and to offer what they could say for themselves by way of defence, or otherwise why execution should not be awarded against them, according to an Act of Atteynder, made in the twelfth year of his Majesties *Raigh*, and confirmed by the present Parliament, wherein and whereby, these three Persons stood attainted of Treason, for the execrable murder of his late Martyred Majesty. Thereupon the Lord Chief Justice (after they had, as the Secondary of the Court required them, held up their hands) demanded of them severally what they had to say for themselves, why Judgment and Execution should not pass upon them.

To this Coll. *Barkstead* replied first, setting forth his condition, that he had been two years out of *England*, and since his returne, was kept close Prisoner, and was not acquainted with his being brought to that Bar till nine a clock the night before; that it was well known he had no skill in the Law, and therefore desired that Council might be assigned him to assist him in his Tryall; and this was the like an-

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After this Evidence the Jury consulted together presently without departing from the Bar, cried a verdict, the Secondary after the usual form of calling them over again, asked them severally as *John Barkstead* the same person, (and so of the rest) mentioned in the Act, who said by their Foreman they were the same Persons and so gave their Verdict.

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